

## **REMARKS**

### **Amendments to the Specification**

Applicant has amended paragraph [02] of the Specification to provide omitted application serial numbers for the listed U.S. applications, as required by the Office action.

### **Amendments to the Claims**

Claims 1 and 15 have been amended to more clearly describe the claimed subject matter. Support for the amendments may be found, for example, in paragraphs [53], [57], [61] and [62] of the Specification. Applicants respectfully submit that these amendments do not add new matter.

### **Objections to the Specification**

The disclosure was objected to because application serial numbers were omitted for the U.S. applications listed in paragraph [02] of the Specification. Applicant has amended the Specification as described above, and respectfully requests that the objection be withdrawn.

### **Rejection of Claims**

Claims 1-27 are pending in the application, all of which were rejected in the Office action of January 26, 2006. Claims 1 and 15 are amended in this response, and new claims 28 and 29 have been added. Claims 1 and 15 are independent claims, while claims 2-14 and 28, and claims 16-27 and 29 depend either directly or indirectly from independent claims 1 and 15, respectively. The Applicants respectfully request reconsideration of the pending claims 1-27, an consideration of new claims 28 and 29, in light of the following remarks.

### **Rejections under 35 U.S.C. §102**

Claims 1-7, 10, 11, 15-21, and 24 were rejected under 35 U.S.C. 102(e) as being anticipated by Novak (US 2003/0097655 A1). The Applicants respectfully traverse the rejection. However, Applicants have amended claims 1 and 15 in order to further the Application towards allowance.

With regard to the anticipation rejections, MPEP 2131 states, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 2 USPQ2d 1051, 1053 (Fed.Cir. 1987). MPEP 2131 also states, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Regarding claim 1, the Applicants respectfully submit that Novak fails to teach, suggest, or disclose, for example, a system providing support for user transactions on a media exchange network, the system comprising a television display for consumption of media; a storage for storing media, and having an associated network address; set top box circuitry communicatively coupled to deliver media from the storage to the television display; an interface device for receiving from an authorization device associated with a user, information for authorizing a user transaction, the interface device communicatively coupled to the set top box circuitry; and server software that receives a request from a first user of the media exchange network, the request comprising at least one of the associated network address, information identifying the user transaction, and at least a portion of the information for authorizing a user transaction, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the identified user transaction with the second user, via a communication network, without divulging the identity of the first user. More specifically, Applicants respectfully submit that Novak fails to teach, suggest or disclose server software that receives a request from a first user of the media exchange network, the request comprising at least one of the associated network address, information identifying the user transaction, and at least a portion of the information for authorizing a user transaction, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the identified user transaction with the second user, via a communication network, without divulging the identity of the first user. To the contrary, Novak repeatedly states that the user identity is handed to the verification entity. (see, e.g., [0091]-[0095]). In addition, Novak is silent with respect to user pre-defined association of first and second users.

The Applicants respectfully submit, therefore, that Novak fails to teach or suggest all of the elements of Applicants' claim 1, and that a rejection of claim 1 under 35 U.S.C. §102(e) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that Novak is different from and fails to anticipate the Applicants' invention as set forth in claim 1. The Applicants believe that claim 1 is allowable over Novak. Because claims 2-14 and 28 depend from claim 1, Novak is different from and fails to anticipate claims 2-14 and 28, as well. Therefore, the Applicants respectfully submit that claims 2-14 and 28 are also allowable over the Novak reference. The Applicants respectfully request that the rejection of claims 1-7, 10 and 11 under 35 U.S.C. §102(e), be withdrawn.

Regarding claim 15, the Applicants respectfully submit that Novak does not teach, suggest, or disclose, for example, a system providing support for user transactions on a media exchange network, the system comprising a television display for consumption of media; a storage for storing media; set top box circuitry communicatively coupled to deliver media from the storage to the television display; an interface device for receiving from an authorization device associated with a user, information for authorizing a user transaction, the interface device communicatively coupled to the set top box circuitry; and server software that receives a request from a first user, and that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the user transaction with the second user, via a communication network, without divulging the identity of the first user. Applicants respectfully submit that Novak fails to teach or suggest server software that responds by employing a user predefined association of the first user to a second user of the media exchange network to enable the completion of the user transaction with the second user, via a communication network, without divulging the identity of the first user. To the contrary, Novak repeatedly states that the user identity is handed to the verification entity. (see, e.g., [0091]-[0095]). In addition, Novak is silent with respect to user pre-defined association of first and second users.

The Applicants respectfully submit, therefore, that Novak fails to teach or suggest all of the elements of Applicants' claim 15, and that a rejection of claim 15 under 35 U.S.C. §102(e) cannot be maintained.

Therefore, for at least the above stated reasons, the Applicants respectfully submit that Novak is different from and fails to anticipate the Applicants' invention as set forth in claim 15. The Applicants believe that claim 15 is allowable over Novak. Because claims 16-27 and 29 depend from claim 15, Novak is different from and fails to anticipate claims 16-27 and 29, as well. Therefore, the Applicants respectfully submit that claims 15-27 and 29 are also allowable over the Novak reference. The Applicants respectfully request that the rejection of claims 15-21 and 24 under 35 U.S.C. §102(e), be withdrawn.

### **Rejections under 35 U.S.C. §103**

Claims 8, 9, 12-14, 22, 23, and 25-27 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Novak (US 2003/0097655 A1) in view of Russell et al. (US 2004/0044627 A1 hereinafter "Russell"). The Applicants respectfully traverse the rejection.

With regard to an obviousness rejection, MPEP 2142 states that in order for a prima facie case of obviousness to be established, three basic criteria must be met, one of which is that the reference or combination of references must teach or suggest all the claim limitations. Further, MPEP 2143.01 states that "the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art suggests the desirability of the combination", and that "although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so'" (citing *In re Mills*, 916 F. 2d 680, 16 USPQ 2d 1430 (Fed Cir. 1990)). Moreover, MPEP 2143.01 also states that the level of ordinary skill in the art cannot be relied upon to provide the suggestion..., citing *Al-Site Corp. v. VSI Int'l Inc.*, 174 F. 3d 1308, 50 USPQ 2d. 1161 (Fed Cir. 1999).

Regarding claims 8, 9, 12-14, 22, 23 and 25-27 the Applicants respectfully submit that claims 8, 9 and 12-14 and claims 22, 23 and 25-27 depend either directly or indirectly from independent claims 1 and 15, respectively. Applicants believe that amended claims 1 and 15 are allowable over the proposed combination of references, in that Russell fails to overcome the deficiencies of Novak, as set forth above. Because claims 8, 9 and 12-14 and claims 22, 23 and

25-27 depend, respectively, from independent claims 1 and 15, Applicants respectfully submit that claims 8, 9, 12-14, 22, 23 and 25-27 are allowable over the proposed combination of Novak and Russell, as well. Therefore, for at least the reasons set forth above, Applicants respectfully request that the rejection of claims 8, 9, 12-14, 22, 23 and 25-27 under 35 U.S.C. §103(a) be withdrawn.

### **Conclusion**

The Applicants believe that all of claims 1-29 are in condition for allowance. Should the Examiner disagree or have any questions regarding this submission, the Applicants invite the Examiner to contact the undersigned at (312) 775-8000 for an interview.

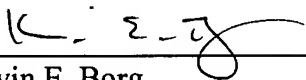
A Notice of Allowability is courteously solicited.

The Commissioner is hereby authorized to charge any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

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